

UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America

v.

DEBORAH A VELASQUEZ

Case No.

Defendant(s)

FILED
 UNITED STATES DISTRICT COURT
 ALBUQUERQUE, NEW MEXICO

MAR 22 2016

MATTHEW J. DYKMAN
 CLERK

He mj 1166

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 3/22/2016 in the county of Bernalillo in the
District of New Mexico, the defendant(s) violated:

Code Section

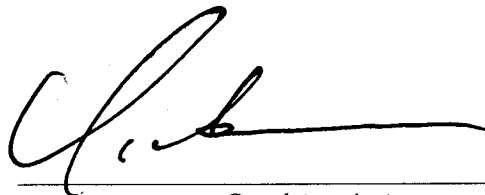
Offense Description

18 United States Code ss.111(a)(1)

Whoever forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of official duties shall, where the acts in violation of this section constitute only simple assault, be fined under this title or imprisoned not more than one year, or both, and where such acts involve physical contact with the victim of that assault or the intent to commit another felony, be fined under this title or imprisoned not more than 8 years, or both.

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.


Complainant's signature

Tracy L. Miller, Area Commander

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/22/2016City and state: Albuquerque, NM


Judge's signature

KAREN B. MOLZEN
U.S. MAGISTRATE JUDGE

Printed name and title

**IN THE UNITED STATES OF AMERICA
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA) Case No.

PLAINTIFF,)

) Affidavit in Support
) of Criminal Complaint

VS.)

Deborah A Velasquez)

)
)
DEFENDANT.)

I, Tracy L. Miller of the United States Department of Homeland Security, Federal Protective Service, being duly sworn, do hereby swear and affirm the following facts as being true to the best of my knowledge, information, and belief.

I am an Area Commander with the Federal Protective Service (FPS), United States Department of Homeland Security, and have been working with the FPS for approximately fifteen years and eight months. In that capacity, I investigate violations of the Federal Criminal Codes, Code of Federal Regulations and related offenses.

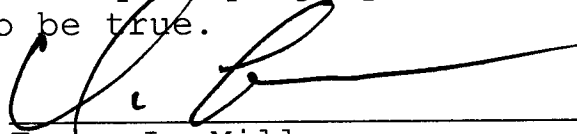
1. The information in this affidavit is based on personal knowledge of the investigation involving Deborah A VELASQUEZ; listed defendant.
2. This affidavit is made in support of a request for a Criminal Complaint against VELASQUEZ, for violation of Title 18 United States Code, Section 111 (a) (1)- Assaulting, resisting, or impeding certain officers or employees.
3. On 3/22/2016, VELASQUEZ, who was visiting the Social Security Office located at 500 Lead Avenue SW, Albuquerque, Bernalillo

County, New Mexico became loud and prevented contract security officers from performing their duties. Federal Protective Service officers were summoned to the location as VELASQUEZ and her son were creating a disturbance.

4. Affiant was the cover officer for Inspector Timothy McKenna. VELASQUEZ was being uncooperative and demanding while being interviewed regarding the complaint. VELASQUEZ became upset with affiant because according to VELASQUEZ the affiant "looked mad". VELASQUEZ was asked to have a seat several times while FPS personnel investigated the complaint. VELASQUEZ stated that she was "going to the governor's office". \
5. Affiant told VELASQUEZ and her son that both were free to go. As both were departing the facility, the son again became disorderly by stating "Fuck You" and using a hand gesture at the same time. Affiant told the son to stop on three separate occasions as he was exiting, so he could be issued a citation for Disorderly Conduct.
6. VELASQUEZ's son, then ran from the location north between two marked FPS police units, entering Lead Avenue SW, where he was struck by a white dodge pickup. Inspector Jose Carrillo and affiant were attempting to provide medical aid to the son, when VELASQUEZ approached the scene. Affiant attempted to get VELASQUEZ to stay back so aid could be administered to her son. VELASQUEZ disregarded lawful orders from affiant.

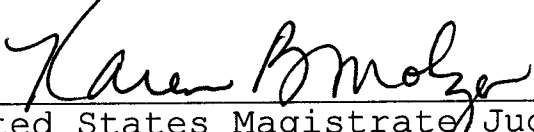
7. Affiant then put his hand out to prevent VELASQUEZ from interfering with Inspector Carrillo administering aid. VELASQUEZ then pushed the affiant and struck affiant in the right jaw and face with the back of VELASQUEZ's right hand.
8. VELASQUEZ was forcibly taken into custody for violation of 18 United States Code ss. 111(a) (1)-Simple Assault on a Federal Officer.

Under penalty of perjury, I swear the above to be true.



Tracy L. Miller
Area Commander, Federal Protective
Service

SUBSCRIBED AND SWORN to before me this
22nd day of March 2016.


United States Magistrate Judge